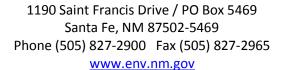


NEW MEXICO

ENVIRONMENT DEPARTMENT

Ground Water Quality Bureau





Draft: January 15, 2020

GROUND WATER QUALITY BUREAU DISCHARGE PERMIT Issued under 20.6.2 NMAC

Discharge Permit Number: DP-378

Facility Location: 118 Road 6500

Kirtland, NM 87417

County: San Juan

Permittee: Scott Frost, Owner

Mailing Address: P.O. Box 279

Monticello, Utah 84535

Facility Contact: Doyle Hodges, Manager

Telephone Number/Email: 505-598-5060/sanjuanmeats@outlook.com

Permitting Action: Renewal

Permit Effective Date:

Permit Expiration Date:

DATE

DATE

NMED Permit Contact: Melanie Sandoval

Telephone Number/Email: 505-827-2936/melanie.sandoval2@state.nm.us

MICHELLE HUNTER	Date	-

Chief, Ground Water Quality Bureau New Mexico Environment Department

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Discharge Permit Summary

Table of 20.6.2.3103 Standards for Ground Water

Ground Water Discharge Permit Conditions for Synthetically Lined Lagoons – Liner Material and Site Preparation, Revision 0.0, May 2007

Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions, Revision 1.1, March 2011

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I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this Discharge Permit Renewal (Discharge Permit), DP-378, to Mr. Scott Frost (permittee) pursuant to the New Mexico Water Quality Act (WQA), NMSA 1978 §§74-6-1 through 74-6-17, and the New Mexico Water Quality Control Commission (WQCC) Ground and Surface Water Protection Regulations, 20.6.2 NMAC.

NMED's purpose in issuing this Discharge Permit, and in imposing the requirements and conditions specified herein, is to control the discharge of water contaminants from San Juan Meats (facility) in order to protect groundwater and those segments of surface water gaining from groundwater inflow for present and potential future use as domestic and agricultural water supply and other uses, and to protect public health. In issuing this Discharge Permit, NMED has determined that the requirements of Subsection C of 20.6.2.3109 NMAC have been met. Pursuant to Section 20.6.2.3104 NMAC, it is the responsibility of the permittee to comply with the terms and conditions of this Discharge Permit; failure to do so may result in enforcement action by NMED (20.6.2.1220 NMAC).

The activities that produce the discharge, the location of the discharge, and the quantity, quality and flow characteristics of the discharge are briefly described as follows.

Up to 1,800 gallons per day (gpd) of domestic wastewater and slaughterhouse processing wastewater is discharged to three concrete tanks for solids settling. Combined wastewater flows to a clay-lined impoundment (to be synthetically lined) for disposal by evaporation. Wastewater from the slaughter facility passes through a grease interceptor prior to being combined with the domestic wastewater.

The discharge contains water contaminants that may be elevated above the standards of Section 20.6.2.3103 NMAC. Data collected from on-site monitoring wells documents groundwater contamination attributed to one or more sources at this facility. Groundwater quality standards for nitrate, total dissolved solids, sulfate and chloride have been exceeded according to the criteria of Sections 20.6.2.3101 and 20.6.2.3103 NMAC. This Discharge Permit contains requirements, actions and/or contingencies intended to control the source(s) of documented groundwater contamination.

The facility is located at 118 Road 6500, Kirtland, in Section 6, Township 29N, Range 14W, San Juan County. Groundwater most likely to be affected is at a depth of approximately 19 feet and has a total dissolved solids concentration of approximately 3,000 milligrams per liter.

The original Discharge Permit was issued on October 1, 1985 and subsequently renewed on January 10, 1991, October 17, 1996, December 20, 2001 and on May 2, 2011. The application (i.e., discharge plan) consists of the materials submitted by the permittee, dated May 29, 2019 and materials contained in the administrative record prior to issuance of this Discharge Permit. The discharge shall be managed in accordance with all conditions and requirements of this Discharge Permit.

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Pursuant to Section 20.6.2.3109 NMAC, NMED reserves the right to require a Discharge Permit Modification in the event NMED determines that the requirements of 20.6.2 NMAC are being or may be violated or the standards of Section 20.6.2.3103 NMAC are being or may be violated. This may include a determination that structural controls and/or management practices approved under this Discharge Permit are not protective of groundwater quality, and that more stringent requirements to protect groundwater quality may be required by NMED. The permittee may be required to implement abatement of water pollution and remediate groundwater quality.

Issuance of this Discharge Permit does not relieve the permittee of the responsibility to comply with the WQA, WQCC Regulations, and any other applicable federal, state and/or local laws and regulations, such as zoning requirements and nuisance ordinances.

The following acronyms and abbreviations may be used in this Discharge Permit.

Abbreviation	Explanation	Abbreviation	Explanation
BOD ₅	biochemical oxygen demand	NMSA	New Mexico Statutes
	(5-day)		Annotated
CFR	Code of Federal Regulations	NO ₃ -N	nitrate-nitrogen
CFU	Colony Forming Unit	NTU	nephelometric turbidity units
Cl	chloride	SO_4	Sulfate
EPA	United States Environmental	TDS	total dissolved solids
	Protection Agency		
gpd	gallons per day	TKN	total Kjeldahl nitrogen
LAA	land application area	total nitrogen	$= TKN + NO_3-N$
LADS	land application data sheet(s)	TRC	total residual chlorine
mg/L	milligrams per liter	TSS	total suspended solids
mL	milliliters	WQA	New Mexico Water Quality
			Act
MPN	Most Probable Number	WQCC	Water Quality Control
			Commission
NMAC	New Mexico Administrative	WWTF	Wastewater Treatment Facility
	Code		
NMED	New Mexico Environment		
	Department		

II. FINDINGS

In issuing this Discharge Permit, NMED finds the following.

- 1. The permittee is discharging effluent or leachate from the facility so that such effluent or leachate may move directly or indirectly into groundwater within the meaning of Section 20.6.2.3104 NMAC.
- 2. The permittee is discharging effluent or leachate from the facility so that such effluent or leachate may move into groundwater of the State of New Mexico that has an existing concentration of 10,000 mg/L or less of TDS within the meaning of Subsection A of

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20.6.2.3101 NMAC.

3. The discharge from the facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.

III. AUTHORIZATION TO DISCHARGE

Pursuant to 20.6.2.3104 NMAC, it is the responsibility of the permittee to ensure that discharges authorized by this Discharge Permit are consistent with the terms and conditions herein.

The permittee is authorized to discharge up to 1,800 gpd of combined wastewater from slaughterhouse processing wastewater and domestic wastewater from one mobile home to a synthetically lined impoundment for disposal by evaporation. Wastewater from the slaughter facility passes through a grease interceptor prior to being combined with the domestic wastewater. Combined wastewater flows through three concrete holding tanks in series for solids settling prior to discharge into the synthetically lined impoundment for disposal by evaporation. [20.6.2.3104 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3109 NMAC]

IV. CONDITIONS

NMED issues this Discharge Permit for the discharge of water contaminants subject to the following conditions.

A. OPERATIONAL PLAN

#	Terms and Conditions
1.	The permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 2 and 4 NMAC.
	[Subsection C of 20.6.2.3109 NMAC]
2.	The permittee shall operate in a manner such that standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC are not violated.
	[20.6.2.3101 NMAC, 20.6.2.3103 NMAC, Subsection C of 20.6.2.3109 NMAC]

Operational Actions with Implementation Deadlines

#	Terms and Conditions
3.	Within 90 days following the effective date of this Discharge Permit (by DATE), the
	permittee shall submit final construction plans and specifications for the proposed
	synthetically lined impoundment. The construction plans and specifications shall bear the
	seal and signature of a licensed New Mexico professional engineer (pursuant to New

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Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority) and supporting design calculations and shall be submitted for review by NMED.

The submitted documentation shall include the following elements.

- a) Details for the construction of the evaporative impoundment and a liner consistent with the attachment titled *Ground Water Discharge Permit Conditions for Synthetically Lined Lagoons Liner Material and Site Preparation*, Revision 0.0, May 2007.
- b) Design calculations for the capacity and evaporative potential of the evaporative impoundment. The impoundment(s) shall be designed to dispose of the permitted discharge volume by evaporation such that two feet of freeboard is preserved at all times. Seasonal discharge patterns may be considered in the design calculations.
- c) Details of all wastewater system components (e.g., lift stations, valves, transfer lines, process units and associated details).
- d) Specifications for all equipment, materials and installation procedures to be used in the construction of the wastewater system.
- e) Fences around the synthetically lined impoundment to control access by the general public and animals. The fences shall consist of a minimum of six-foot chain link or field fencing and locking gates.

Prior to constructing the synthetically lined impoundment and its associated components, the permittee shall obtain written verification from NMED that the plans and specifications meet the requirements of this Discharge Permit.

Should the final construction plans and specifications for the proposed synthetically lined impoundment not be submitted within the 90 days following the effective date of this Discharge Permit, the permittee shall cease discharge to the existing impoundment and shall properly dispose of the wastewater effluent at an off-site location. The permittee shall maintain a record of solids removal and disposal, including date, volume of solids removed, and method of disposal. That record shall be maintained in accordance with this Permit and the permittee shall make the records available to NMED upon request.

[Subsections A and C 20.6.2.1202 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]

- 4. Within 90 days of the effective date of this Discharge Permit (by DATE), the permittee shall commence the following closure measures on the clay lined impoundment to be relined utilizing a synthetic material.
 - a) Cease discharging to the impoundment.
 - b) Temporarily plug all lines leading to and from the impoundment.
 - c) Drain wastewater from the impoundment and dispose of it in accordance with all local, state and federal regulations, or evaporate remaining wastewater from the impoundment.

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Within <u>60 days</u> of ceasing to discharge to the impoundment, the permittee shall submit a sludge removal and disposal plan to NMED for approval. The sludge removal and disposal plan shall include the following information.

- a) The estimated volume and dry weight of sludge to be removed and disposed, including measurements and calculations.
- b) Analytical results for samples of the sludge taken from the impoundment for TKN, NO₃-N, percent total solids, and any other parameters tested (reported in mg/kg, dry weight basis).
- c) The method(s) of sludge *removal* of the solids to a thickness of less than six inches throughout the impoundment.
- d) The method(s) of disposal for all of the sludge (and its contents) removed from the impoundment. The method(s) shall comply with all local, state and federal regulations, including 40 CFR Part 503. Note: A proposal that includes the on-site surface disposal of sludge may be subject to Ground Water Discharge Permitting requirements pursuant to 20.6.2.3104 NMAC that are separate from the requirements of this Discharge Permit.
- e) A schedule for completion of sludge removal and disposal.

The permittee shall initiate implementation of the plan within 30 days following approval by NMED.

Following completion of the sludge removal and disposal, the permittee shall complete relining of the impoundment and return the impoundment to service in accordance with the requirements of this Discharge Permit.

[Subsection A of 20.6.2.3107 NMAC, Subsection D of 20.6.2.4103 NMAC, 40 CFR Part 503]

5. Within 140 days following the effective date of this Discharge Permit (by DATE), the permittee shall complete construction of the synthetically lined impoundment in accordance with the final construction plans and specifications required by this Discharge Permit. The permittee shall notify NMED at least five working days prior to commencement of construction to allow NMED personnel to be onsite for inspection. The permittee shall submit record drawings that bear the seal and signature of a licensed New Mexico professional engineer (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority) for the constructed synthetically lined impoundment to NMED within 30 days of completion.

[Subsections A and C of 20.6.2.1202 NMAC, Subsection C of 20.6.2.3109 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]

6. Within 30 days of the effective date of this Discharge Permit (**by DATE**), the permittee shall post signs indicating that the wastewater at the facility is not potable. Signs shall be

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#	Terms and Conditions
	posted at the facility entrance and other areas where there is potential for public contact with wastewater. All signs shall be printed in English and Spanish and shall remain visible and legible for the term of this Discharge Permit.
	[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
7.	Within 60 days following the effective date of this Discharge Permit (by DATE), the permittee shall conduct an inspection and test for water-tight construction on the three concrete holding tanks. The inspection and test shall be performed by a person meeting the qualification requirements identified in Paragraph (2), Subsection B of 20.7.3.904 NMAC, Liquid Waste Disposal and Treatment Regulations. The inspection shall be performed according to the following procedure. a) The contents of the unit shall be pumped and disposed of in accordance with all local, state, and federal regulations, including 40 CFR Part 503. b) The interior of the unit shall be inspected to determine the construction material, interior dimensions and structural integrity. Inspection findings shall be recorded, and that record shall be maintained in accordance with this Permit. c) The condition of the interior of the unit shall be photographically documented while the unit is empty.
	Water-tightness testing shall be completed using one of the two following procedures. a) Hydrostatic testing shall be conducted using the following procedure. 1) Plug the inlet and outlet piping of the unit. 2) Fill the unit with water to the normal operating level. 3) Measure the water level. 4) Allow the water to stand for 60 minutes without the addition of water. 5) Measure the water level at the end of 60 minutes. A unit that does not allow a drop-in water level of greater than 0.01 feet in 60 minutes is considered to be water-tight. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]

Operating Conditions

#	Terms and Conditions
8.	The permittee shall maintain fences around the impoundment to control access by the general public and animals. The fences shall consist of a minimum of six-foot chain link or equivalent fencing and locking gates. Fences shall be maintained throughout the term of this Discharge Permit.

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#	Terms and Conditions
	[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
9.	The permittee shall maintain the impoundment liner in such a manner as to avoid conditions that could affect the liner or the structural integrity of the impoundment. Such conditions include or may be characterized by the following: • erosion damage; • animal burrows or other damage; • the presence of vegetation including aquatic plants, weeds, woody shrubs or trees growing within five feet of the top inside edge of a sub-grade impoundment, within five feet of the toe of the outside berm of an above-grade impoundment, or within the impoundment itself; • the presence of large debris or large quantities of debris in the impoundment; • evidence of seepage; or • evidence of berm subsidence. Vegetation growing around the impoundment shall be routinely controlled by mechanical removal in a manner that is protective of the impoundment liner. The permittee shall visually inspect the impoundment and surrounding berms on a monthly basis to ensure proper maintenance. The permittee shall make a record of such inspections and that record shall be maintained in accordance with this Permit. In the event that inspection reveals any evidence of damage that threatens the structural integrity of an impoundment berm or liner, or that may result in an unauthorized discharge, the permittee shall enact the contingency plan set forth in this Discharge Permit.
	[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
10.	The permittee shall preserve a minimum of two feet of freeboard between the liquid level in the impoundment and the elevation of the top of the impoundment liner. In the event that the permittee determines that two feet of freeboard cannot be preserved in the impoundment, the permittee shall enact the contingency plan set forth in this Discharge Permit.
	[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
11.	The permittee shall inspect the three concrete holding tanks semi-annually for the accumulation of scum and solids. In the event that the scum layer exceeds three inches, or the settled solids occupy 30% or more of the tank volume, the contents of the tanks shall be pumped by a septage pumper meeting the qualification requirements identified in Subsection D of 20.7.3.904 NMAC, Liquid Waste Disposal and Treatment Regulations.

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#	Terms and Conditions
	The permittee shall maintain a record of solids removal and disposal, including date, volume of solids removed, and method of disposal. That record shall be maintained in accordance with this Permit and the permittee shall make the records available to NMED upon request.
	[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
12.	The permittee shall inspect the grease interceptor on a monthly basis and remove accumulated grease and settled solids as needed to prevent them from exiting the unit.
	The permittee shall maintain a record of grease/solids removal and disposal, including date, volume of grease/solids removed, and method of disposal. That record shall be maintained in accordance with this Permit and the permittee shall make the records available to NMED upon request.
	[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]

MONITORING AND REPORTING B.

#	Terms and Conditions
13.	The permittee shall conduct the following monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
14.	METHODOLOGY – Unless otherwise specified by this Discharge Permit, or approved in writing by NMED, the permittee shall use sampling and analytical techniques that conform with the references listed in Subsection B of 20.6.2.3107 NMAC. [Subsection B of 20.6.2.3107 NMAC]
15.	Quarterly monitoring shall be performed during the following periods and reports submitted to NMED as follows: • January 1 st through March 31 st – due by May 1st ; • April 1 st through June 30 th – due by August 1st ; • July 1 st through September 30 th – due by November 1st ; and • October 1 st through December 31 st – due by February 1st . [Subsection A of 20.6.2.3107 NMAC]

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Monitoring Actions with Implementation Deadlines

#	Terms and Conditions
16.	Within 150 days following the effective date of this Discharge Permit (by DATE), the permittee shall survey all wells approved by NMED for Discharge Permit monitoring purposes to a U.S. Geological Survey (USGS) or other permanent benchmark. Survey data shall include northing, easting and elevation to the nearest hundredth of a foot or shall be in accordance with the "Minimum Standards for Surveying in New Mexico" (12.8.2 NMAC). A survey elevation shall be established at the top-of-casing, with a permanent marking indicating the point of survey. The survey shall bear the seal and signature of a licensed New Mexico professional surveyor (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority). Depth-to-most-shallow groundwater shall be measured to the nearest hundredth of a foot in all surveyed wells [and referenced to mean sea level], and the data shall be used to develop a groundwater elevation contour map showing the location of all monitoring wells and the direction and gradient of groundwater flow at the facility. The data and groundwater elevation contour map shall be submitted to NMED within 30 days of survey completion. [Subsection A of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]
17.	 Within ten months following the effective date of this Discharge Permit (by DATE), the permittee shall submit a written monitoring well location proposal for review and approval by NMED. The proposal shall designate the locations of the monitoring well required to be installed by Condition 18 of this Discharge Permit. The proposal shall include, at a minimum, the following information. a) A map showing the proposed location of the monitoring well from the boundary of the source it is intended to monitor. b) A written description of the specific location proposed for the monitoring well including the distance (in feet) and direction of the monitoring well from the edge of the source it is intended to monitor. Examples include: 35 feet north-northwest of the northern berm of the synthetically lined impoundment; 45 feet due south of the leachfield; 30 feet southeast of the re-use area 150 degrees from north. c) A statement describing the groundwater flow direction beneath the facility, and documentation and/or data supporting the determination. The monitoring well location shall be approved by NMED prior to installation. [Subsection A of 20.6.2.3107 NMAC]
18.	Within one year of the effective date of this Discharge Permit (by DATE), the permittee shall install the following new monitoring well.

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Terms and Conditions a) One monitoring well (MW-4) hydrologically downgradient of the facility to help identify the extent of groundwater contamination. The well shall be completed in accordance with the attachment titled Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions, Revision 1.1, March 2011. Construction and lithologic logs shall be submitted to NMED within 30 days of well completion. Unless otherwise noted in this Discharge Permit, the requirement to install a monitoring well downgradient of a source is not contingent upon construction of the facility, or discharge of wastewater from the facility. [Subsection A of 20.6.2.3107 NMAC] Following the installation of MW-4 required by this Discharge Permit, the permittee shall 19. sample groundwater in the well and analyze the samples for SO₄, TKN, NO₃-N, TDS and Cl. Groundwater sample collection, preservation, transport and analysis shall be performed according to the following procedure. a) Measure the depth-to-most-shallow groundwater from the top of the well casing to the nearest hundredth of a foot. b) Purge three well volumes of water from the well prior to sample collection. c) Obtain samples from the well for analysis. d) Properly prepare, preserve and transport samples. e) Analyze samples in accordance with the methods authorized in this Discharge Permit. Well completion report (including the Office of the State Engineer permit), depth-to-mostshallow groundwater measurements, analytical results, including the laboratory QA/QC summary report, and a facility layout map showing the location and number of each well shall be submitted to NMED within 45 days of the installation of the monitoring wells. [Subsection A of 20.6.2.3107 NMAC]

Ground Water Monitoring Conditions

#	Terms and Conditions	
20.	The permittee shall perform quarterly groundwater sampling in the following monitoring wells and analyze the samples for SO ₄ , TKN, NO ₃ -N, TDS and Cl. a) N/E-A, intended to be located hydrologically upgradient of the facility. b) S/E-B, intended to be located hydrologically downgradient and southeast of the evaporative impoundment.	

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- c) S/W-C, intended to be located southwest of the evaporative impoundment.
- d) MW-4, intended to be located hydrologically downgradient of the facility.

Groundwater sample collection, preservation, transport and analysis shall be performed according to the following procedure.

- a) Measure the depth-to-most-shallow groundwater from the top of the well casing to the nearest hundredth of a foot.
- b) Purge three well volumes of water from the well prior to sample collection.
- c) Obtain samples from the well for analysis.
- d) Properly prepare, preserve and transport samples.
- e) Analyze samples in accordance with the methods authorized in this Discharge Permit.

Depth-to-most-shallow groundwater measurements, analytical results, including the laboratory QA/QC summary report, and a facility layout map showing the location and number of each well shall be submitted to NMED in the quarterly monitoring reports.

[Subsection A of 20.6.2.3107 NMAC]

21. The permittee shall develop a groundwater elevation contour map on a quarterly basis using the top of casing elevation data from the monitoring well survey and quarterly depth-to-most-shallow groundwater measurements, referenced to mean sea level, obtained from the groundwater monitoring wells required by this Discharge Permit.

The groundwater elevation contour map shall depict the groundwater flow direction based on the groundwater elevation contours. Groundwater elevations between monitoring well locations shall be estimated using common interpolation methods. A contour interval appropriate to the data shall be used, but the interval shall, in no case, be greater than two feet. Groundwater elevation contour maps shall depict the groundwater flow direction, using arrows, based on the orientation of the groundwater elevation contours, and the location and identification of each monitoring well and contaminant source. The groundwater elevation contour map shall be submitted to NMED in the quarterly monitoring reports.

[Subsection A of 20.6.2.3107 NMAC]

22. NMED shall have the option to perform downhole inspections of all monitoring wells identified in this Discharge Permit. NMED shall establish the inspection date and provide at least a 60-day notice to the permittee by certified mail. The permittee shall have any existing dedicated pumps removed at least 48 hours prior to NMED inspection to allow adequate settling time of sediment agitated from pump removal.

Should dedicated pumps not exist and the permittee decide to install pumps in any of the monitoring wells, NMED shall be notified at least 90 days prior to pump installation so that a downhole well inspection(s) can be scheduled prior to pump placement.

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#	Terms and Conditions	
	[Subsections A and D of 20.6.2.3107 NMAC]	

Facility Monitoring Conditions

#	Terms and Conditions		
23.	The permittee shall measure the monthly volume of wastewater discharged to the evaporative impoundment. The permittee shall obtain readings from the monthly water bills on a monthly basis and calculate the monthly and average daily volume discharged to the impoundment. The monthly meter readings and calculated monthly and average daily discharge volumes shall be submitted to NMED in the quarterly monitoring reports. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]		
24.	The permittee shall collect a composite wastewater sample on a semi-annual basis (once every six months) from the evaporative impoundment. The composite sample shall consist of a minimum of six equal aliquots collected at equal distances around the perimeter of the evaporative impoundment and thoroughly mixed. The composite sample shall be analyzed for: SO4 TKN; NO3-N; TDS; and Cl. Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results shall be submitted to NMED in the monitoring reports due by August 1 st and February 1 st each year.		
	[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]		

C. CONTINGENCY PLAN

#	Terms and Conditions	
25.	In the event that groundwater monitoring indicates that a groundwater quality standard identified in Section 20.6.2.3103 NMAC is exceeded, the permittee shall collect a confirmatory sample from the monitoring well within 15 days of receipt of the initial sampling results to confirm the initial sampling results.	

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Within 60 days of confirmation of groundwater contamination, the permittee shall submit to NMED a Corrective Action Plan that proposes, at a minimum, source control measures and an implementation schedule. The Plan shall be enacted as approved by NMED.

Once invoked (whether during the term of this Discharge Permit, or after the term of this Discharge Permit and prior to the completion of the Discharge Permit closure plan requirements), this condition shall apply until the permittee has fulfilled the requirements of this condition and groundwater monitoring confirms for a minimum of eight (8) consecutive quarterly samples that the standards of Section 20.6.2.3103 NMAC are not exceeded in groundwater.

If the groundwater standard continues to be violated 180 days after the confirmation of groundwater contamination, the permittee may be required to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101, Section 20.6.2.4103, Subsections C and E of 20.6.2.4106, Section 20.6.2.4107, Section 20.6.2.4108 and Section 20.6.2.4112 NMAC.

[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]

26. In the event that information available to NMED indicates that a well is not constructed in a manner consistent with the attachment titled *Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions*, Revision 1.1, March 2011; contains insufficient water to effectively monitor groundwater quality; or is not completed in a manner that is protective of groundwater quality, the permittee shall install a replacement well(s) within 120 days following notification from NMED.

The permittee shall survey the replacement monitoring well(s) within 150 days following notification from NMED.

Replacement well locations shall be approved by NMED prior to installation and completed in accordance with the attachment titled *Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions*, Revision 1.1, March 2011. The permittee shall submit construction and lithologic logs, survey data and a groundwater elevation contour map to NMED within 60 days following well completion.

Upon completion of the replacement monitoring well, the monitoring well requiring replacement shall be properly plugged and abandoned. Well plugging, abandonment and documentation of the abandonment procedures shall be completed in accordance with the attachment titled *Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions*, Revision 1.1, March 2011, and all applicable local, state, and federal regulations. The well abandonment documentation shall be submitted to NMED within 60 days of completion of well plugging activities.

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	[Subsection A of 20.6.2.3107 NMAC]		
27. In the event that groundwater flow information obtained pursuant to this Discharge Perindicates that a monitoring well is not located hydrologically downgradient of discharge location it is intended to monitor, the permittee shall install a replacement within 120 days following notification from NMED. The permittee shall survey replacement monitoring well within 150 days following notification from NMED. Replacement well locations shall be approved by NMED prior to installation completed in accordance with the attachment titled <i>Ground Water Discharge Per Monitoring Well Construction and Abandonment Conditions</i> , Revision 1.1, March 20 The permittee shall submit construction and lithologic logs, survey data and a groundwelevation contour map within 30 days following well completion.			
28.	[Subsection A of 20.6.2.3107 NMAC] In the event that inspection findings reveal significant demaga likely to effect the structural.		
20.	In the event that inspection findings reveal significant damage likely to affect the structural integrity of a lined impoundment or its ability to contain contaminants, the permittee shall propose the repair or replacement of the impoundment liner by submitting a Corrective Action Plan to NMED for approval. The Plan shall be submitted to NMED within 30 days after discovery by the permittee or following notification from NMED that significant liner damage is evident. The Corrective Action Plan shall include a schedule for completion of corrective actions and the permittee shall initiate implementation of the Plan following approval by NMED.		
	[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]		
29.	In the event that a minimum of two feet of freeboard cannot be preserved in an impoundment, the permittee shall take actions authorized by this Discharge Permit and all applicable local, state, and federal regulations to restore the required freeboard. In the event that two feet of freeboard cannot be restored within a period of 72 hours following discovery, the permittee shall propose actions to be immediately implemented		
	to restore two feet of freeboard by submitting a short-term Corrective Action Plan to NMED for approval. Examples of short-term corrective actions include the pumping and hauling of excess wastewater from the impoundment or reducing the volume of wastewater discharged to the impoundment. The Plan shall include a schedule for completion of corrective actions and shall be submitted within 15 days following the date when the two feet of freeboard limit was initially discovered. The permittee shall initiate implementation of the Plan following approval by NMED.		
	In the event that the short-term corrective actions failed to restore two feet of freeboard, the permittee shall propose permanent corrective actions in a long-term Corrective Action Plan submitted to NMED within 90 days following failure of the short-term Corrective		

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	Action Plan. Examples include the installation of an additional storage impoundment, or a significant/permanent reduction in the volume of wastewater discharged to the impoundment. The Plan shall include a schedule for completion of corrective actions and implementation of the Plan shall be initiated following approval by NMED.		
	[Subsection A of 20.6.2.3107 NMAC]		
30.	In the event that a release (commonly known as a "spill") occurs that is not authorized under this Discharge Permit, the permittee shall take measures to mitigate damage from the unauthorized discharge and initiate the notifications and corrective actions required in Section 20.6.2.1203 NMAC and summarized below.		
	 Within 24 hours following discovery of the unauthorized discharge, the permittee shall verbally notify NMED and provide the following information. a) The name, address, and telephone number of the person or persons in charge of the facility, as well as of the owner and/or operator of the facility. b) The name and address of the facility. c) The date, time, location, and duration of the unauthorized discharge. 		
	 d) The source and cause of unauthorized discharge. e) A description of the unauthorized discharge, including its estimated chemical composition. 		
	f) The estimated volume of the unauthorized discharge.g) Any actions taken to mitigate immediate damage from the unauthorized discharge.		
	Within <u>one week</u> following discovery of the unauthorized discharge, the permittee shall submit written notification to NMED with the information listed above and any pertinent updates.		
	Within <u>15 days</u> following discovery of the unauthorized discharge, the permittee shall submit a corrective action report/plan to NMED describing any corrective actions taken and/or to be taken relative to the unauthorized discharge that includes the following information.		
	a) A description of proposed actions to mitigate damage from the unauthorized discharge.b) A description of proposed actions to prevent future unauthorized discharges of this nature.		
	nature. c) A schedule for completion of proposed actions.		
	In the event that the unauthorized discharge causes or may with reasonable probability cause water pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, the		

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#	Terms and Conditions		
	permittee may be required to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC.		
	Nothing in this condition shall be construed as relieving the permittee of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC.		
	[20.6.2.1203 NMAC]		
31.	31. In the event that NMED or the permittee identifies any failures of the discharge planthis Discharge Permit not specifically noted herein, NMED may require the permittee submit a Corrective Action Plan and a schedule for completion of corrective actions address the failure(s). Additionally, NMED may require a Discharge Permit modificate to achieve compliance with 20.6.2 NMAC.		
[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]			

CLOSURE PLAN D.

Permanent Facility Closure Conditions

#	Terms and Conditions			
32.	32. In the event the facility, or a component thereof, is proposed to be permanently closed, permittee shall perform the following closure measures.			
	Within <u>60 days</u> of ceasing to discharge to the impoundment, the line leading to the impoundment shall be plugged so that a discharge can no longer occur.			
Within <u>60 days</u> of ceasing to discharge to the impoundment, wastewater sha evaporated or drained from the impoundment and any other wastewater s components and disposed of in accordance with all local, state, and federal regulation				
	Within 90 days of ceasing to discharge to the impoundment, the permittee shall submit a sludge removal and disposal plan to NMED for approval. The permittee shall initiate implementation of the plan within 30 days following approval by NMED. The sludge removal and disposal plan shall include the following information. a) The estimated volume and dry weight of sludge to be removed and disposed, including measurements and calculations.			
	b) Analytical results for samples of the sludge taken from the impoundment for TKN, NO ₃ -N, percent total solids, and any other parameters tested (reported in mg/kg, dry weight basis).			
	c) The method of sludge <i>removal</i> from the impoundment.			

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- d) The method of *disposal* for all of the sludge (and its contents) removed from the impoundment. The method shall comply with all local, state and federal regulations, including 40 CFR Part 503. *Note: A proposal that includes the surface disposal of sludge may be subject to Ground Water Discharge Permitting requirements pursuant to 20.6.2.3104 NMAC that are separate from the requirements of this Discharge Permit.*
- e) A schedule for completion of sludge removal and disposal not to exceed two years from the date discharge to the impoundment ceased.

Within 90 days of ceasing discharge to the holding tanks and grease interceptor, the permittee shall complete the following closure measures:

- a) Plug all lines leading to and from the closed systems so that a discharge can no longer occur.
- b) Wastewater, septage, and grease interceptor waste shall be pumped from the system components (e.g., septic tanks, grease trap/interceptors, lift stations, dosing chambers, distribution boxes) and it shall be contained, transported, and disposed of in accordance with all local, state, and federal regulations, including 40 CFR Part 503. The permittee shall maintain a record of all wastes transported for off-site disposal.

Within 180 days of ceasing discharge to the holding tanks and grease interceptor (or closed system components), the permittee shall complete the following closure measures:

- a) Remove all lines leading to and from the closed systems or permanently plug them and abandon them in place.
- b) Remove or demolish all closed holding tanks, grease trap/interceptors, lift stations, dosing chambers, distribution boxes or other system components and re-grade the area with suitable fill to blend with surface topography to promote positive drainage and prevent ponding.

Within <u>one year</u> following completion of the sludge removal and disposal, the permittee shall complete the following closure measures.

- a) Remove all lines leading to and from the impoundment, or permanently plug and abandon them in place.
- b) Remove or demolish any other wastewater system components and re-grade area with suitable fill to blend with surface topography, promote positive drainage and prevent ponding.
- c) Perforate or remove the impoundment liner.
- d) Fill the impoundment with suitable fill.
- e) Re-grade the impoundment site to blend with surface topography, promote positive drainage and prevent ponding.

The permittee shall continue groundwater monitoring until the requirements of this condition have been met and groundwater monitoring confirms for a minimum of eight consecutive quarterly groundwater sampling events that the standards of Section

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20.6.2.3103 NMAC are not exceeded in groundwater.

If monitoring results show that a groundwater quality standard in Section 20.6.2.3103 NMAC is exceeded in groundwater, the permittee shall implement the contingency plan required by this Discharge Permit.

Following notification from NMED that post-closure monitoring may cease, the permittee shall plug and abandon the monitoring wells in accordance with the attachment titled *Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions*, Revision 1.1, March 2011.

When all closure and post-closure requirements have been met, the permittee may submit a written request for termination of the Discharge Permit to NMED.

[Subsection A of 20.6.2.3107 NMAC, Subsection D of 20.6.2.4103 NMAC, 40 CFR Part 503]

E. GENERAL TERMS AND CONDITIONS

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- 33. RECORD KEEPING The permittee shall maintain a written record of:
 - information and data used to complete the application for this Discharge Permit;
 - any releases (commonly known as "spills") not authorized under this Discharge Permit and reports submitted pursuant to 20.6.2.1203 NMAC;
 - the operation, maintenance, and repair of all facilities/equipment used to treat, store or dispose of wastewater;
 - facility record drawings (plans and specifications) showing the actual construction of the facility and bear the seal and signature of a licensed New Mexico professional engineer;
 - copies of monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit;
 - the volume of wastewater or other wastes discharged pursuant to this Discharge Permit:
 - groundwater quality and wastewater quality data collected pursuant to this Discharge Permit;
 - copies of construction records (well log) for all groundwater monitoring wells required to be sampled pursuant to this Discharge Permit;
 - the maintenance, repair, replacement or calibration of any monitoring equipment or flow measurement devices required by this Discharge Permit; and
 - data and information related to field measurements, sampling, and analysis conducted pursuant to this Discharge Permit, including:

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	 the dates, location and times of sampling or field measurements; the name and job title of the individuals who performed each sample collection or field measurement; the sample analysis date of each sample the name and address of the laboratory, and the name of the signatory authority for the laboratory analysis; the analytical technique or method used to analyze each sample or collect each field measurement; the results of each analysis or field measurement, including raw data; the results of any split, spiked, duplicate or repeat sample; and a copy of the laboratory analysis chain-of-custody as well as a description of the quality assurance and quality control procedures used. 			
	The written record shall be maintained by the permittee at a location accessible during a facility inspection by NMED for a period of at least five years from the date of application report, collection or measurement and shall be made available to the department upon request. [Subsections A and D of 20.6.2.3107 NMAC]			
34.				
	The permittee shall allow NMED to have access to and reproduce for their use any copy of the records, and to perform assessments, sampling or monitoring during an inspection for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations.			
	Nothing in this Discharge Permit shall be construed as limiting in any way the inspect and entry authority of NMED under the WQA, the WQCC Regulations, or any other lostate or federal regulations.			
	[Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]			
35.	DUTY to PROVIDE INFORMATION - The permittee shall, upon NMED's request, allow for NMED's inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records.			
	[Subsection D of 20.6.2.3107 NMAC]			

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#	Terms and Conditions		
36. MODIFICATIONS and/or AMENDMENTS – In the event the permittee prochange to the facility or the facility's discharge that would result in a change in the discharged; the location of the discharge; or in the amount or character contaminants received, treated or discharged by the facility, the permittee shall NMED prior to implementing such changes. The permittee shall obtain approval may require modification of this Discharge Permit) by NMED prior to implement changes.			
	[Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]		
37.	PLANS and SPECIFICATIONS – In the event the permittee is proposing to construct a wastewater system or change a process unit of an existing system such that the quantity or quality of the discharge will change substantially from that authorized by this Discharge Permit, the permittee shall submit construction plans and specifications to NMED for the proposed system or process unit prior to the commencement of construction. In the event the permittee implements changes to the wastewater system authorized by this Discharge Permit that result in only a minor effect on the character of the discharge, the permittee shall report such changes (including the submission of record drawings, where applicable) as of January 1 and June 30 of each year to NMED.		
	[Subsections A and C of 20.6.2.1202 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]		
38.	CIVIL PENALTIES - Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any combination of the foregoing; or an action in district court seeking injunctive relief, civil penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to \$15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to \$10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit.		
39.	CRIMINAL PENALTIES – No person shall:		
	 make any false material statement, representation, certification or omission of material fact in an application, record, report, plan or other document filed, submitted or required to be maintained under the WQA; 		

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- falsify, tamper with or render inaccurate any monitoring device, method or record required to be maintained under the WQA; or
- fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation.

Any person who knowingly violates or knowingly causes or allows another person to violate the requirements of this condition is guilty of a fourth degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who is convicted of a second or subsequent violation of the requirements of this condition is guilty of a third degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of death or serious bodily injury to any other person is guilty of a second degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15.

[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]

40. COMPLIANCE with OTHER LAWS - Nothing in this Discharge Permit shall be construed in any way as relieving the permittee of the obligation to comply with any other applicable federal, state, and/or local laws, regulations, zoning requirements, nuisance ordinances, permits or orders.

[NMSA 1978, § 74-6-5.L]

41. RIGHT to APPEAL - The permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of the receipt of postal notice of this Discharge Permit and shall include a statement of the issues to be raised and the relief sought. Unless a timely petition for review is made, the decision of NMED shall be final and not subject to judicial review.

[20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.0]

- 42. TRANSFER of DISCHARGE PERMIT Prior to the transfer of any ownership, control, or possession of this facility or any portion thereof, the permittee shall:
 - notify the proposed transferee in writing of the existence of this Discharge Permit;
 - include a copy of this Discharge Permit with the notice; and
 - deliver or send by certified mail to NMED a copy of the notification and proof that such notification has been received by the proposed transferee.

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	Until both ownership and possession of the facility have been transferred to the transferee, the permittee shall continue to be responsible for any discharge from the facility.		
[20.6.2.3111 NMAC]			
43.	PERMIT FEES - Payment of permit fees is due at the time of Discharge Permit approval. Permit fees shall be paid in a single payment or shall be paid in equal installments on a yearly basis over the term of the Discharge Permit. Single payments shall be remitted to NMED no later than 30 days after the Discharge Permit effective date. Initial installment payments shall be remitted to NMED no later than 30 days after the Discharge Permit effective date; subsequent installment payments shall be remitted to NMED no later than the anniversary of the Discharge Permit effective date. Permit fees are associated with <u>issuance</u> of this Discharge Permit. Nothing in this		
	Discharge Permit shall be construed as relieving the permittee of the obligation to pay all permit fees assessed by NMED. A permittee that ceases discharging or does not commence discharging from the facility during the term of the Discharge Permit shall pay all permit fees assessed by NMED. An approved Discharge Permit shall be suspended or terminated if the facility fails to remit an installment payment by its due date. [Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]		



New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

Facility Information

Facility Name San Juan Meats

Discharge Permit Number DP-378

Legally Responsible PartyScott Frost, OwnerMailing Address:P.O. Box 279

ress: P.O. Box 279
Monticello, Utah 84535

505-598-5060

Treatment, Disposal and Site Information

Primary Waste Type Facility Type

Slaughter house processing wastewater

Industrial

Treatment Methods

Type	Designation	Description & Comments
Oil Water Separator	Grease Interceptor	Concrete grease interceptor located
Solids Settling	Holding Tank #1	Concrete holding tank used for solids settling.
Solids Settling	Holding Tank #2	Concrete holding tank used for solids settling.
Solids Settling	Holding Tank #3	Concrete holding tank used for solids settling.

Discharge Locations

Type	Designation	Description & Comments
Impoundment	Wastewater Impoundment	Clay-lined impoundment (to be synthetically lined) for disposal by evaporation.

Ground Water Monitoring Locations

Type	Designation	Description & Comments
Monitoring Well	MW-N/E-A	N/E-A, located hydrologically upgradient of the facility.
Monitoring Well	MW-S/E-B	S/E-B, located hydrologically downgradient and southeast of the evaporative impoundment.
Monitoring Well	MW-S/W-C	S/W-C, located southwest of the evaporative impoundment.
Monitoring Well	MW-4	MW-4, located hydrologically downgradient of the facility.

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New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

Depth-to-Ground Water 19 feet **Total Dissolved Solids (TDS)** 3,000 mg/L

Permit Information

Original Permit IssuedOctober 1, 1985Permit RenewalJanuary 10, 1991Permit RenewalOctober 17, 1996Permit RenewalDecember 20, 2001Permit RenewalMay 2, 2011

Current ActionRenewalApplication ReceivedMay 29, 2019Public Notice Published[not yet published]Permit Issued (Effective Date)[effective date]Permitted Discharge Volume1,800 gallons per day

NMED Contact Information

Mailing Address Ground Water Quality Bureau

P.O. Box 5469

Santa Fe, New Mexico 87502-5469

GWQB Telephone Number (505) 827-2900

NMED Lead StaffMelanie SandovalLead Staff Telephone Number(505) 827-2936

Lead Staff Email melanie.sandoval2@state.nm.us

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